

AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P. O. Box 7599
Loveland, Colorado 80537-0599



B.I.F.W.
ATTORNEY DOCKET NO. 10020704-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Lewis R. Dove, et al.

Serial No.: 10/799,006

Examiner: Friedhofer, Michael A.

Filing Date: March 11, 2004

Group Art Unit: 2832

Title: SWITCH WITH LID

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- ☒ Response/Amendment ☐ Petition to extend time to respond
☐ New fee as calculated below ☐ Supplemental Declaration
☒ No additional fee (Address envelope to "Mail Stop Amendments")
☒ Other: Comments on Statement of Reasons for Allowance (Fee \$ _____)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	20	MINUS	20	= 0	X 50	\$ 0
INDEP. CLAIMS	3	MINUS	3	= 0	X 200	\$ 0
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM *					+ 360	\$ 0
EXTENSION FEE	1 ST MONTH 120.00 <input type="checkbox"/>	2 ND MONTH 450.00 <input type="checkbox"/>	3 RD MONTH 1020.00 <input type="checkbox"/>	4 TH MONTH 1590.00 <input type="checkbox"/>	\$ 0	
OTHER FEES						\$ 0
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,

Lewis R. Dove, et al.

By

Gregory W. Osterloth
Attorney/Agent for Applicant(s)

I hereby certify that this correspondence is being Deposited with the United States Postal Service as First class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: 10-07-2005

Typed Name: Gregory W. Osterloth

Signature:

Reg. No. 36,232

Date: 10-07-2005

Telephone No. (303) 291-3200



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/799,006 Confirmation No. 7563
Applicant : Lewis R. Dove, et al.
Filed : March 11, 2004
TC/A.U. : 2832
Examiner : Friedhofer, Michael A.

Docket No. : 10020704-1

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE UNDER 37 CFR 1.312

Sir:

Applicants believe the Notice of Allowance dated July 8, 2005 is premature.

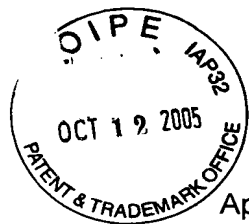
On February 4, 2005, Applicants requested an "Amendment Under 35 USC 116 to Correct Inventorship Pursuant to 37 CFR 1.48(a)". However, Applicants have not received any indication that the Examiner has entered this Amendment. Further, Applicants checked the PAIR System today, and could not find any evidence that the Examiner entered Applicants' Amendment (although there was evidence in PAIR that Applicants' Amendment was received by the Office).

Although Applicants intend to pay the Issue Fee before its current "due date", Applicants request a withdrawal of the Examiner's Notice of Allowance, and the reissue of a new Notice of Allowance after the Examiner has confirmed that Applicants' Amendment to Correct Inventorship has been entered.

Respectfully submitted,
DAHL & OSTERLOTH, L.L.P.

By: 

Gregory W. Osterloth
Reg. No. 36,232
Tel: (303) 291-3200



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/799,006 Confirmation No. 7563
Applicant : Lewis R. Dove, et al.
Filed : March 11, 2004
TC/A.U. : 2832
Examiner : Friedhofer, Michael A.

Docket No. : 10020704-1

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Sir:

In providing a reason why Applicants' claims should be allowed, the Examiner quotes from the language of Applicants' independent claim 1, and states that the prior art does not teach or suggest the switch recited in Applicants' claim 1. However, Applicants' independent claims 9 and 19 are of different scope, and use different language. Applicants therefore assert that some of their independent claims are allowable for reasons other than those that are stated in the "Examiner's Amendment" dated July 8, 2005.

Respectfully submitted,
DAHL & OSTERLOTH, L.L.P.

By:

Gregory W. Osterloth
Reg. No. 36,232
Tel: (303) 291-3200